

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

LIAISON COUNCIL ON CERTIFICATION
FOR THE SURGICAL TECHNOLOGIST,

Opposer,

Opposition No. 91156715

v.

Serial No. 76/398,138

ASSOCIATION OF SURGICAL
TECHNOLOGISTS, INC.,

M&G 40005.4USTA

Applicant.

ORDER OF DISMISSAL WITHOUT PREJUDICE

The Board has been duly advised that this matter has been settled by the parties, as the result of an Express Withdrawal With Consent of the subject application (copy attached as Exhibit A) and therefore this opposition is hereby dismissed without prejudice.

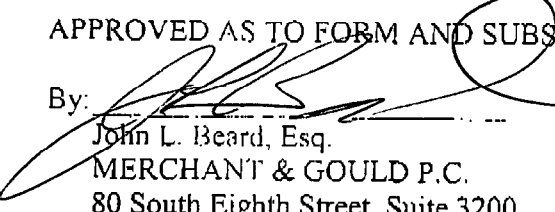
Date: 10/

TRADEMARK TRIAL AND APPEAL BOARD


By: _____

APPROVED AS TO FORM AND SUBSTANCE:

By: _____


John L. Beard, Esq.
MERCHANT & GOULD P.C.
80 South Eighth Street, Suite 3200
Minneapolis, MN 55402-2215
Phone: (612) 332-5300

By: _____


Sabrina C. Stavish, Esq.
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, CO 80202-5141
Phone: (303) 863-9700

CERTIFICATE OF MAILING

I hereby certify that this ORDER OF DISMISSAL WITHOUT PREJUDICE is being deposited with the United States Postal Service as First Class, in an envelope addressed to Commissioner for Trademarks, Attn: T.T.A.B., 2900 Crystal Drive, Arlington, VA 22202-3513 on this 27th day of October, 2003.


Misty Borg

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing ORDER OF DISMISSAL WITHOUT PREJUDICE was served, via first-class mail, postage prepaid on Sabrina C. Stavish, Esq., Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, CO 80202-5141 this 27th day of October, 2003.


Misty Borg

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant: Association of Surgical Technologists, Inc.

Serial No.: 76/398,138

Filed: April 19, 2002

Mark: REGISTERED SURGICAL TECHNOLOGIST
(RST)

Docket No.: 40005.4US01

EXPRESS WITHDRAWAL WITH CONSENT

Assistant Commissioner for Trademarks
Box TTAB NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

Dear Sir:

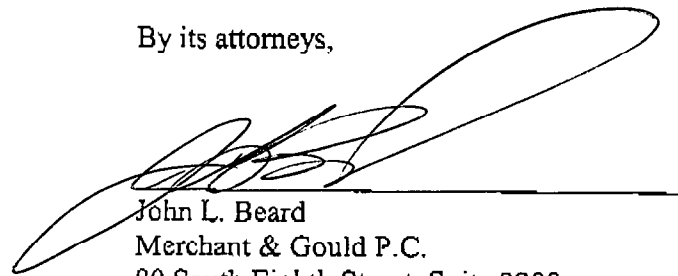
Pursuant to C.F.R. Rules 2.68 and 2.135, Applicant hereby expressly withdraws, with the consent of Opposer, the subject application for the mark "REGISTERED SURGICAL TECHNOLOGIST (RST)", Serial No. 76/398,138.

Respectfully submitted,

Association of Surgical Technologists, Inc.

By its attorneys,

Dated: 11/27/03



John L. Beard
Merchant & Gould P.C.
80 South Eighth Street, Suite 3200
Minneapolis, MN 55402-2215
Telephone: 612/332-5300

Consent provided by Opposer:

LIAISON COUNCIL ON CERTIFICATION
FOR THE SURGICAL TECHNOLOGIST

By its Counsel.

By:


Sabrina C. Stavish, Esq.
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513, on October 27th, 2003.

By:


Name: Misty Borg

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing EXPRESS WITHDRAWAL WITH CONSENT was served, via first-class mail, postage prepaid on Sabrina C. Stavish, Esq. Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, CO 80202-5141, this 27th day of October, 2003.


Misty Borg

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A Professional Corporation

Liaison Council on Certification for the Surgical Technologist)
Potential Opposer)
v.) Serial No.: 76/398,138
Association of Surgical Technologist, Inc.)
Applicant)

Mark: REGISTERED SURGICAL TECHNOLOGISTS (RST)

Serial No.: 78/398,138

Docket Number: 40005.4US01

Official Gazette: January 28, 2003

Due Date: October 26, 2003

Filing Date: April 19, 2002

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513, on October 27, 2003.

By: Misty Borg
Name: Misty Borg

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Commissioner:

We are transmitting herewith the attached:

- ☒ Return postcard.
- ☒ Transmittal Sheet in duplicate containing Certificate Under 37 C.F.R. 1.8
- ☒ EXPRESS WITHDRAWAL WITH CONSENT
- ☒ ORDER OF DISMISSAL WITHOUT PREJUDICE

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

By: John L. Beard
Name: John L. Beard
Reg. No.: 27,612
JLB/mb



10-30-2003

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #64

(CONTESTED MATTER)